

## Message Text

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46

ORIGIN OPIC-06

INFO OCT-01 AF-06 ISO-00 EB-07 L-03 EUR-12 /035 R

DRAFTED BY OPIC:GC CSCOLE

APPROVED BY EB/IFD/OIA:RJSMITH

EB/IFD/OIA:DHSTEBBING

AF/C:RRSTRAND

----- 109307

O 031326Z NOV 75 ZFF4

FM SECSTATE WASHDC

TO AMEMBASSY KINSHASA NIACT IMMEDIATE

LIMITED OFFICIAL USE STATE 259628

FOR HUNT OPIC TDY FROM COLE

E.O. 11652: N/A

TAGS:EFIN

SUBJECT: SMTF

REF: LONDON 16644

1. HAVE RECEIVED ICSID AGREEMENT FROM CHASE. IT DOES NOT  
AFFECT THIRD PARTY LENDERS BUT SHAREHOLDERS ARE PARTIES.

2. REQUESTED ICSID CLAUSE IS:

QUOTE IT IS HEREBY AGREED, THAT THE RIGHT OF THE  
INVESTOR TO REQUEST THE SETTLEMENT OF A DISPUTE

BY THE CENTRE OR TO TAKE ANY STEP AS A PARTY TO A  
PROCEEDING PURSUANT T TO THIS AGREEMENT SHALL  
NOT BE AFFECTED BY THE FACT THAT (HE)/(IT) HAS  
RECEIVED FULL OR PARTIAL COMPENSATION, ON A  
CONDITIONAL OR AN ABSOLUTE BASIS, FROM ANY THIRD  
PARTY (WHETHER A PRIVATE PERSON, A STATE, A  
GOVERNMENTAL AGENCY OR AN INTERNATIONAL ORGANIZATION),  
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WITH RESPECT TO ANY LOSS OR INJURY THAT IS THE

SUBJECT OF THE DISPUTE (PROVIDED THAT THE HOST STATE

MAY REQUIRE EVIDENCE THAT SUCH THIRD PARTY AGREES  
TO THE EXERCISE OF THOSE RIGHTS BY THE INVESTORS).  
UNQUOTE KISSINGER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENTS, FINANCIAL PROGRAMS, INVESTORS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 03 NOV 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** RowellE0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE259628  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** GC CSCOLE  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750380-1160  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19751183/aaaacwvi.tel  
**Line Count:** 66  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN OPIC  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 LONDON 16644  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** RowellE0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 01 JUL 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <01 JUL 2003 by ShawDG>; APPROVED <05 NOV 2003 by RowellE0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** SMTF  
**TAGS:** EFIN, CG, ICSID  
**To:** KINSHASA  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006